

1905-026 Chancery Causes: Adm. of Anthony W. H. vs. James E. W. H.  
Lee Co.

Flanary

CA-Debt  
T-Property

-Deed



To the Hon. W. T. Miller, Judge of the Circuit court of Lee county:

Humbly complaining your orator, C. E. Flanary, administrator de bonis non of the estate of Anthony Witt, deceased, would respectfully represent unto your Honor that on the 16th day of June, 1894, in the Circuit court for Lee county, Virginia, he as such administrator aforesaid, obtained a judgment against James E. Witt for the sum of \$90.84, with interest thereon from the 25th day of September, 1889, 'till paid; and the costs at law of \$7.96; which judgment was obtained on a note which waived the homestead exemptions. Upon this judgment execution was properly issued and placed in the hands of an officer of said county, and was by him returned "no property found". Your orator would further show your Honor that this judgment has been properly docketed in the judgment lien docket of the county court of said county, and in the same properly indexed. Your orator would further represent unto your Honor that this judgment has not been paid, nor any part thereof, but the same remains wholly unpaid and due your orator as administrator aforesaid.

Your orator is advised that the said judgment is a lien against the real estate of the said James E. Witt, and he here avers that the said James E. Witt is the owner of <sup>an undivided interest in</sup> a certain tract or parcel of land lying and being in the said county, on the Waters of Baily Trace in what is called the pocket, it being the same land conveyed to the said James E. Witt by J. H. Witt and Maggie Witt his wife by deed bearing date the 26th day of January, 1894, a copy of which is here filed as part hereof, marked "Deed". Your orator being advised that this judgment is a lien against this <sup>interest in said</sup> tract or parcel of land, asks that the said James E. Witt be made a party defendant to this bill, and that he be required to answer the same, but not on oath, that being waived. And your orator further prays <sup>that</sup> upon a final hearing a decree be pronounced for the sale of said undivided <sup>interest in said</sup> tract of land, or so much thereof as will pay said debt,

x. A certified copy of said judgment is  
here filed, marked "1894," as part hereof.



interest and all costs at law and incident to the filing of this bill. And if mistaken in this his special prayer, he asks for such other and further relief to which he may be entitled. And he will ever pray. May Spa. isse, &c.

On Blairship & Ewing

P.Q.



Plffs Costs up to and  
including Nov 7, 1902

Plffs Costs

C 12.42

Tax 1.50

Shff .50

attly 15.00

Coms 10.00

Co Clk 75

Estimated 50.00

\$45.17

C. E. Flanagan, admr, &c.

v. } Bill.

Jos. E. Witt.

Ordr, 13th Kentucky & Ewing  
P. 2

1894 1st October Rules bill  
filed & pa & sent to  
Deere Nisi

11 2nd October Rules Deere  
Nisi confirmed and Cause  
set for hearing by Plff

Order Final Sept.  
Term 1905.

24

100-100-100-100  
cr 68.230 Mr 20/100



Chas. E. Flanary, Admr. of Anthony Witt, deceased.

Plff.

vs.

In Chancery.

James E. Witt.

Deft.

This cause came on to be finally heard upon the papers formerly read in the cause, and the report of James W. Orr <sup>Commissioner</sup> filed September 9th, 1905, and was argued by counsel. The said report being unexcepted to, and <sup>showing</sup> ~~there being~~ a full settlement of the matters involved in this cause by the payment <sup>by</sup> ~~of~~ the defendants of the amounts decreed <sup>C</sup> against him in the cause, it is adjudged, ordered and decreed that said report be and is hereby confirmed, and the cause is stricken from the docket.



Charles E. Mayery. -  
- ~~shirve~~ & c  
as } Decree Final.  
James E. Witt.

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Entered in C.O.B. 8  
page. 67. —

Enter this Decree  
Hawson  
Sept 18 1905



Virginia,

At a Circuit Court continued and held for Lee County, at the Court house thereof, on Wednesday the 18th day of May 1904.

C. E. Flanary, Admr. &c.,

Plff.

(  
Vs. ( In Chancery.  
(

James E. Witt.

Deft.

This cause came on to be heard upon the papers formerly read in the cause, and was argued by counsel. On consideration thereof, and for reasons appearing to the Court, it is adjudged, ordered and decreed that James W. Orr, be and is hereby appointed a commissioner in the cause in room and stead of E. W. <sup>B</sup>Ewing, who has removed from this State, and whose duty it is made to proceed to sell at the front door of the Court house of ~~this~~ County, so much of the land in the bill mentioned as may be necessary to pay the balance due the plaintiff, and the amount decreed to the plaintiff in this cause. Said sale will be made to the highest bidder, on a credit of six ~~and~~ twelve months time, except as to the costs of suit and commissioner on sale, which will be required to be paid in hand, and for the deferred payments, bonds with security will be required of the purchaser bearing interest from date. Said Commissioner will before selling, advertise the time, terms and place of sale for at least thirty days by written advertisements, posted at the front door of the Court-house of ~~this~~ County and in the vicinity of ~~said~~ land, and will execute bond before the Clerk of this Court in the sum of \$200.00 conditioned according to law. He will report his action herunder to Court. And the cause is continued.

A Copy Teste: H. C. P. Ewing Clerk.



A Copy Teste: \_\_\_\_\_ Clerk.

hereunder to court. And the cause is continued.

sum of \$200.00 conditioned according to law. He will report his action  
said land, and will execute bond before the clerk of this court in the  
front foot of the Court-house of this county and in the vicinity of  
sale for at least thirty days by written advertisements, posted at the  
mansioner will before selling, advertise the time, terms and place of  
will be required of the purchaser paying interest from date. Said com-  
to be paid in hand, and for the deferred payments, bonds with security

C. E. Flannery, Adm'r.

vs. { Decree  
Geo. E. Witt.

James W. Orr  
Commissioner

Executed May 31<sup>st</sup> 1904.  
O. M. Ball. S. L. C.

Copy

Clerk 308

James W. Witt.

vs. { In Chancery.

C. E. Flannery, Adm'r. &c.

Plff.

Def.

Court house thereof, on Wednesday the 18th day of May 1904.

At a Circuit Court continued and held for Lee County, of the  
Virginia,



C. E. Flavery Admr re.

Plaintiff

against

James E. Witt.

Defendant

In Chancery.

This cause came on to be heard upon the papers formerly read in the cause, and was argued by Counsel. On consideration thereof, and for reasons appearing to the Court, It is adjudged, ordered and decreed that James Witt be and is hereby appointed a Commissioner in the cause, in and about of C. W. R. Ewing, who has remained from this State, and whose duty it is made to proceed to sell at the front door of the Court house of this County, so much of the land in the bill mentioned as may be necessary to pay the balance due the plaintiff, and the amount decreed to the plaintiff in this cause, said sale will be made to the highest bidder, on a credit of six and twelve months time, except as to costs of suit and commissions on sale which will be required to be paid in hand, and for the deferred payments bonds with security will be required of the purchaser bearing interest from date, said Commissioner will before selling, advertise the time, terms and place of sale for at least thirty days by written advertisements posted at the front door of the Court house of this County and in the vicinity of said land, and will execute bond before the Clerk of this Court in the sum of \$200.00 conditioned according to law. He will report his action hereunder to Court. And the cause is continued.



C. E. Flaugery Schur &c

vs Decree

James C. With.

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Em. C. B. No. 7,

Page 463.

Enter this Decree.

J. C. W. H. W.

May 18th 1904.



C. E. Flanery Shur of Anthony  
Witt deceased.

Plaintiff

against

A. J. Witt & D. L. Redwine Defendants

In Chancery

this day

This cause came on again to be heard, upon the papers formerly read in the cause, and the report of James W. Orr, Commissioner, filed in the cause, and was argued by counsel. On consideration thereof, and said report being unexcepted to, it is adjudged, ordered and decreed that the same be and is hereby confirmed, and a rule is awarded against A. J. Witt the purchaser of the land sold in the cause by said Commissioner, and John Jesse his surety, returnable here on the first day of the next term, to shew cause, if any they can, why the said land, or a sufficiency thereof, shoud not be sold to pay the first instalment of the purchase money for said land, \$96.21, and interest thereon from the 20th day of October 1902, until paid, and the costs of this rule, and why a personal judgment shall not be render against them for said purchase money & costs. And the cause is continued.



C. E. Flanery Admr &  
vs { Decree for Rule  
H. J. Witt et als.

Entered in C. C. B -  
No. 7 page 430

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(Wrote decree Mar 24/1904)

Enter this Decree,  
~~H. J. Witt~~  
Feb 24th 1904.



C. E. Flanery Administrator of the estate  
of Anthony Witt deceased ~~Plff~~

against  
James E Witt

Def<sup>t</sup>

In Chancery

This cause came on again to be heard upon the papers formerly read in the cause, and the report of C. N. Jones, special Commissioner filed in the cause Feb' 16th 1895, to which report there are no exceptions, and was argued by counsel. On consideration thereof it is adjudged, ordered and decreed that the said report be confirmed, and unless the amount of the liens reported against said defendant ~~are~~ <sup>is</sup> paid within 30 days from the adjournment of this Court, then E. W. R. Ewing who is appointed a Commissioner for the purpose, will proceed, at the front door of the Court house of this County, on some Court day, to rent to the highest <sup>& best</sup> bidder, the real estate of said defendant in said report mentioned, for a time sufficient to pay said liens, provided the same does not exceed five years. Said Commissioner before renting will execute bond before the clerk of this Court in the sum of Three hundred dollars, <sup>Conditioned according to law</sup> and will advertise the time, terms and place of renting, for at least thirty days, before renting, by written advertisements posted at the front door of the



Court house of this County, and in the vicinity  
of said land, He will require the costs of this  
suit and expense of renting to be paid in hand,  
and for the residue bonds with security will  
be required of the person renting, bearing inter-  
est from date, and payable in <sup>equal</sup> annual installments.  
Said Court will report his action to a future term  
of this Court, and the Cause is continued.

C. C. Flanery Adversary

vs. Decree No 2.

James O. Watt.

O. O.

Page 106

\$300-

Enter this decree.

M J M

March 8 1895.



C.E.Flanary, Admr., &c.,

vs.

In Chancery.

Jas.E.Witt.

This cause came on this day to be heard upon the bill of the plaintiff and the exhibits therewith, the process duly executed on the defendant, and was argued by counsel. On Consideration whereof, and the defendant failing to appear, plead or answer, the bill is taken for confessed against him, and it is adjudged, ordered and decreed that the plaintiff recover against the defendant \$98.08 with legal interest on \$90.84 part thereof from the 25th day of September, 1889, till paid and the costs of this suit. It is further ordered that C.H.Jones, who is hereby appointed a commissioner for the purpose, do take an account of the liens against the real estate of the defendant in the bill mentioned and the priorities thereof, if any there be, and that he ascertain and report what real estate the defendant owns in this county, its rental value and whether or not the same will rent for a sum sufficient in five years to pay and discharge said liens and the costs of this suit. He will report his action to the next term of this court, together with any matter deemed pertinent by himself, or required by any party in interest. Before proceeding to execute this decree said commissioner will give due notice to the parties in interest, and all person who may be in any way interested, by publishing the time place and day of his sitting by written notice at the front door of the court house, and serving a copy thereof on the defendant to the said bill. And the cause is continued.



G. E. Flanagan, <sup>re</sup> adm.  
vs. } Decree inter.  
Jos. E. Witt.

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Entered in  
Chancery  
Book Page 102

Enter this.  
Nov. 16, 1844.  
N. J. M.



Virginia

At a Circuit Court continued and held for Lee County at the Court house thereof on Friday Novr the 16<sup>th</sup> 1894

W. E. Flanary Admr

against

Jas. E. Witt

} In Chancery

This Cause came on this day to be heard upon the bill of the plaintiff and exhibits therewith, the process duly executed on the defendants and was argued by Counsel. On consideration whereof and the defendant failing to appear, plead or answer the bill is taken for confessed against him, and it is adjudged, ordered and decreed, that the plaintiff recover against the defendant \$98.08 with legal interest on \$90.84 part thereof from the 25<sup>th</sup> day of September 1889 till paid and the costs of this suit. It is further ordered that C. H. Jones who is hereby appointed a Commissioner for the purpose do take an account of the liens against the real estate of the defendant in the bill mentioned and the priorities thereof if any there be, and that he ascertain and report what real estate the defendant owns in this County its rental.



Value and whether or not the same  
will rent for a sum sufficient in  
five years to pay and discharge said  
liens and the costs of this suit. He  
will report his action to the next  
term of this Court together with any  
matter deemed pertinent by himself  
or required by any party in interest  
Before proceeding to execute this decree  
Said Commissioner will give due no-  
tice to the parties in interest and all  
persons who may be in any wise in-  
terested, by publishing the time and  
place and day of his sitting by written  
notice at the front door of the Court-  
house, and serving a copy thereof on  
the defendant to the said bill, and the  
Cause is continued,



C. E. Flanary, Admr. }  
vs. } In Chancery.  
Jas. E. Witt

Pursuant to a decree entered in the above styled Cause on the 16<sup>th</sup> day of November, 1894, by the Circuit Court of Lee County, I will sit in the office of Cor. Blankinship Fleming, in Jonesville, Virginia, on the <sup>4th</sup> 5<sup>th</sup> day of February, 1895, for the purpose of ascertaining what real estate is owned by the defendant; the liens thereon, and their priorities; the rental value thereof, and whether or not the same will rent for a sum sufficient in five years to pay off and discharge said liens, and the costs of this suit; or any other matter deemed pertinent by me or required by any party in interest.

This Jan. 21, 1895.

C. H. Jones.  
Commissioner



C. E. Flannery, Admr.  
vs { Notice.

Jas. E. Witt

~~Executed~~ garnary  
th 29 1895

By Delivering a

copy of this

Notice to

James E. Witt

M. R. Kirk R.D.

per C. E. Flannery

S & C

'A'



The deposition of Jas. E. Witt, taken before me C. H. Jones a special Commissioner in the Chancery cause of C. E. Flanary, admr. etc, against Jas. E. Witt, now pending in the Circuit Court of Lee County, which deposition is to be used as evidence in determining the questions submitted to me by decree entered in this cause on November 16, 1894; pursuant to notice herewith filed and made A. doffice of Orr. Blankenship & Erving Jones execs, Virginia, between the hours of 9 a.m. and 4 p.m. on Feb. 4<sup>th</sup> 1895.

Present, E. W. R. Erving for Plff, and the Defendant Jas. E. Witt in person.

Jas. E. Witt, a witness of lawful age being first duly sworn deposes and saith as follows.

Ques. 1. State whether or not you are the defendant in this cause; if so please state what lands you own in this County, where situated, and their rental value per year?



Ans 1. I am the defendant.

I own a tract of land known as <sup>a part of</sup> the Anthony Witt land, About 65 acres. It is situated on the waters of Bailey Trace, in the Pechet Country, and adjoining the lands of Sam Bailey, Jack Witt, Sr, & Jacob Witt, & Joseph Doss. Its rental value per year would not be over Twenty five dollars per year; it is reasonably worth that much.

Ques 2. What liens are against this land, other than the debt herein decreed?

Ans 2. There is another Judgment of about Fourteen dollars & eighty cents (\$14.80) in favor of D. A. Beane, or his assignee. And further this deponent saith not.  
J. E. Witt

Jas E Witt, having been reintroduced deposed and saith as follows.

I ~~am~~ requested to state that I own a one sixth interest in Jacob Witt dec'd. land which contains about One hundred and twenty five acres. I also own about Thirty acres in a lower tract. I suppose it ought to rent for Fifteen dollar per year. And further this deponent saith not.  
J. E. Witt



Virginia, Lee County to wit:  
I certify that The foregoing deposition of Jas. E. Witt  
was taken, subscribed and sworn to  
before me at the time and place,  
and for the purpose mentioned in  
the caption.

Given under my hand, this 7th  
4<sup>th</sup> day of February, 1895.

CH Jones  
Special Commissioner



C. E. Flauery, Admr.

vs ⚡ Deposition

Jas. B. Witt

"O"



To the Hon. W. J. Miller, Judge of the  
Circuit Court of Lee County.

Your undersigned special  
Commr. having been directed by a decretal  
order of your Honor's Court, rendered on  
the 16<sup>th</sup> day of Nov, 1894, in the Chancery  
Cause of C. E. Flanary, Adm, etc vs Jas. E.  
Witt, to ascertain what lands are  
owned by the said Jas. E. Witt, the  
liens <sup>their priorities</sup> thereon; and whether or not the  
same will rent for a sum suffi-  
cient in five years to pay off and  
discharge said liens and the  
costs of this suit, Your Commr. after  
having given due notice of the  
time and place of his sitting  
as required by said decree, pro-  
ceeded to perform the duties re-  
quired of him by said decree.

Your Commr. ascertains from the  
deposition of Jas. E. Witt, the defend-  
ant in this cause, and filed  
herewith as part herof, marked "O"  
that he owns about 65 acres of land  
situated on the waters of Baileys  
Trace in the Pocket Country, adjoin-  
ing the lands of Sam Bailey and  
Jack Witt; also a one sixth interest  
in the Jacob Witt decd. land, and



a thirty acre dower tract.

I ascertain from said deposition marked "O" that all of said lands would rent for forty dollars per year, which will be sufficient to pay off said liens and costs of this suit.

Your Court only finds two liens against said lands, both in favor of C. E. Flanary, Admr. Jas. E. Witt mentions a lien in his deposition marked "O" which is in favor of D. A. Beam or his assignee; but your Court does not report same, because too indefinite and uncertain, as it does not appear on the records. Your Court herewith respectfully submits his investigations.

This Feb. 18<sup>th</sup> 1895.

C. H. Jones.  
Special Court.



Jas E. Witt

In account with his Lien Creditors.

	\$	Cts
1 Do Justices Judgment in favor of C. E. Flanary, Adm, rendered on March 31st 1894	16	08
Interest on same from Sept. 5, 1891, till Mar. 1, 1895	3	36
Costs on same	1	00
	20	44
2 Do Judgment rendered by the Circuit Court of Lee County on the 16 <sup>th</sup> day of June, 1894, in favor of C. E. Flanary, Adm, etc, 1st 1895	90	84
Interest on same from Sept. 25, 1894, till Mar,	2	35
Costs on same - - - - -	7	96
Estimated costs of this suit	25	00
	126	15
	20	44
Total	146	59



C. E. Flanary admr.

or Compt. rpt.

Jas. E. Witt

Filed February the 18<sup>th</sup>  
1895  
A. B. Munsey  
Clerk

Court's fee \$10.00  
Paid.



Chas/E. Flenary, Admr. of the estate of  
Anthony Witt, deceased.

Plaintiff.

vs.

In Chancery.

James E. Witt,

Defendant.

The undersigned commissioner in this cause respectfully reports, that since the decree therein directing the sale of certain real estate of the defendant's to pay the amount decreed in favor of the plaintiff, the said James E. Witt has fully paid the recoveries against him in this cause together with the cost of this suit as follows: He paid to your commissioner October 15th, 1902 \$100.00, as security for his father, Anthony Witt, deceased, he paid Testerman Brothers the balance of a note executed by his father to them about January 20th, 1891, on which note he was surety, and which balance amounted to \$57.94, April 21st, 1903, and for which your commissioner gave him credit by the direction of R. L. Pennington Commissioner of Accounts, as an offset against the said sums decreed against the said defendant. The said defendant then paid to your commissioner, March 5th, 1905, \$68.23 the same being the balance due from him in this cause, which sums paid to your commissioner have been disbursed in the payment of the cost of this suit and the residue to the plaintiff. No sale of the real estate having been made I suppose it is only necessary now to have this cause stricken from the docket.

James W. Orr, Commr.



C. E. Flavery Sur  
ve.

of Cour On's Report  
- Finab.  
James E. Witt.

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Filed Sept 9<sup>th</sup> 1905.  
J. L. T. Ewing.  
Clerk.



This Deed made this the  
26 day of January 1894 by <sup>and</sup> be-  
tween J. M. Witt & Magga Witt  
his wife of the first part and  
J. E. Witt of the second part  
all of the County of Lee <sup>and</sup>  
State of Virginia.

Witnesseth that in <sup>and</sup> for  
the consideration of the sum  
of 250 <sup>00</sup> Two hundred and  
fifty dollars of which \$185 <sup>00</sup> has  
this day been paid and the  
remainder of \$65 <sup>00</sup> to be paid  
By the 18 day of January 1895  
of which the said J. M. Witt  
reserves a vendors lien to him-  
self until the said sixty five  
dollars are paid the said  
J. M. Witt and Magga Witt  
his wife by these presents  
Grant Bargain sell and con-  
vey unto the said J. E. Witt  
there entire undivided interest  
in Jacob Witts Estate real <sup>and</sup>  
Personal the land lying <sup>and</sup>  
being in the aforesaid County  
& State on the waters of Bailey  
Trace in the Pocket Country



to have and to hold the same  
with all its appurtenances  
forever And the parties of  
the first part bind them-  
selves to warrant and defend  
the same, except the coal right  
that has been conveyed to F. A.  
Steaton with against the claims  
of themselves their heirs and  
all other persons in Witness  
whereof we set our seals

J. H. With seal  
Magga With <sup>his</sup> seal  
mark

Virginia Lee County to Wit:  
I, John F. Burgin a Justice  
of the Peace for the County a-  
foresaid in the state of  
Virginia do certify that J. H.  
With and Magga With his wife  
whos names are signed to the  
writing hereto annexed bearing  
date on the 26 day of January  
1894, have acknowledged the  
same before me in my County  
aforesaid

Given under my hand this 1  
day of February 1894.

John F. Burgin J. P.



Virginia Lee County to wit:  
In the office of the clerk of  
said County the 26<sup>th</sup> day of July  
1894 this deed was presented  
and together with the certifi-  
cate thereto annexed admitted  
to record.

Test: S. V. F. Richmond clerk  
A copy - Test: S. V. F. Richmond  
clerk



from { J. C. Witt  
Deed  
J. H. Witt and  
Maggie Witt his wife

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Recorded in Deed  
Book No. 30

S. V. F. Richmond  

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A copy - c 50

Deed -



Virginia

At a circuit court continued and held for  
Lee County at the Court house thereof on Satur-  
day June the 16th 1894

C. E. Flanary admsr de bonis non of Anthony Witt <sup>deced</sup>

vs

James E Witt

Defts

In  
Sett

The defendant not appearing after being duly  
Summoned. It is considered by the Court that the  
Judgment obtained in the Clerks office in favor  
of the plaintiff against the defendant for \$ 90.84  
Ninety dollars & eighty four cents the amount of  
the note in the declaration mentioned waiving  
homestead exemptions and legal interest thereon  
from the 25th of September 1889, and the costs be  
made final.

A Copy Teste

A. B. Munsey, Clerk

C. 4.71  
A 2.50  
S .50  
C .25  
\$ 7.96



C.	357
Tax	1.50
Shoff	80
Atty	15.00
Estimate	5.00
Co Clk	75
	26.26
Cour	10.00
	<u>36.26</u>

C. E. Flanary admr  
 vs } Copy of Judgt  
 James E. Witt,

1844.

C. 25<sup>cts</sup>



Judgment				Lien Docket		
Date of Judgment	By what Court	Time	Names & Descriptions of Parties	Debt, Damages, Interest and Costs	Amount & Date of Credit	
1894 June 1st	Lower Circuit Court.	1894 July 5th	C. E. Schuany adm'r vs James E. Will Deft	Judgment for \$10.84 with interest from the 25th day of September 1894, until paid + Costs C 4.71 \$50 A 2.50 Co C 25		

A Copy - Test: A. V. F. Richmond Secy



L. E. Flanagan adum  
vs Copy of Judgment  
James E. Witt

© 255

1894



# Land Sale.

C. E. Flavery, Plaintiff  
vs.  
James E. Witt, Defendant

IN CHANCERY.

Pursuant to decree of the Circuit Court of Lee County, Virginia, at the May term, 1904, in the above styled cause, the undersigned will, at public outcry, at the front door of the Courthouse of said county, on the 4th day of February, 1905, ~~of the Circuit Court of said county~~, proceed to sell, to the highest and best bidder, on a credit of Six & twelve months time, except so much

as may be necessary to pay the cost of suit and expense of sale [which are required to be paid in hand], the following described property: The land and interests in land owned by the defendant, and in the report of Commissioner James mentioned in said cause, or a sufficiency thereof to pay the balance due the plaintiff on his judgments against the defendant, in the bill mentioned, said real estate is in Lee County Va, on the waters of Bailey's Grace, in the Pocket Country, and is part of the Anthony Witt & Jacob Witt land

Bonds with good and approved personal security will be required of the purchaser for the deferred payments. This 27th day of December 1904

James W. Orr, Commissioner.

The Bond required by Law has been given.

W. L. Ewing, Clerk.



C. E. Flanery Solur<sup>or</sup>  
vs } Advertisement  
James E. Witt

Jan 29 1876

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Flavery Shur vs James E Witt. - Chancery.  
 Suit as two judgments reported by Cour Jones Pr \$106.72  
 Interest to Mr 1<sup>st</sup> 1895. - <sup>Mr 1<sup>st</sup> 1895.</sup> Costs  
 Interest to Oct 15<sup>th</sup> 1902, \$14.67  
 Add costs of suit. 48.91 63.58  
 or Oct 15<sup>th</sup> 1902. - ~~Pr~~ - ~~Or~~ - \$170.50  
 Int to April 21<sup>st</sup> 1903. - - - 45.17  
 By amt paid Listerman Bros Apr 21/1903. 215.67  
 Int on bal to Feb 4<sup>th</sup> 1905. 100.00  
 Bal due Feb 4<sup>th</sup> 1905 - - - 115.67  
 Int to Mr 5<sup>th</sup> 1905 - - - 3.58  
 By cash of James E Witt Mr 5<sup>th</sup> 1905. \$119.25  
 57.94  
 61.31  
 6.62  
 67.93  
 30  
 68.23  
 68.23



C. E. Flannery <sup>Amr.</sup>  
se

23 } Calculation

13 }  
James E. Witt.

---

Wrote Mr Witt.

Jan'y 5<sup>th</sup> 1905.

Mr Witt paid \$68.23

Mr 5<sup>th</sup> 1905. Bal.

arr.



# VIRGINIA--LEE COUNTY, TO-WIT:

TO M. R. Kirk D.S. Constable of said County:

I HEREBY COMMAND YOU TO SUMMON J. E. Witt

If to be found in your District to appear at my office in said county, on the

31 day of March 1894 before me or such other Justice of the said County, as may be thereto

try this warrant, to answer complaint of Jacob Witt Administrator of

Anthony Witt Both Deceased in favor of C. E.

Flanery S. L. L. and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$100.00 due

by Witt, and then and there make return of this warrant,

Given under my hand the 20 day of March 1894

J. H. Burgin J. P.

C. E. Flanery S. L. L.

Against

J. E. Witt

On the 31 day of March 1894

(In debt.)

At my office in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$ 100.00, with interest thereon from the

5 day of Sept 1891, till paid, and \$ 10.00 for costs.

J. H. Burgin, J. P.

VIRGINIA--Lee County, To-wit: To M. R. Kirk D.S. Constable of said County.

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of .....

J. E. Witt

....., in your county, you cause to be made the sum of \$ 100.00 with interest thereon from the 5 day of Sept 1891 till paid, which .....

C. E. Flanery S. L. L. has recovered before me in a warrant in debt, and also the sum of \$ 10.00 which were adjudged to the said C. E. Flanery

S. L. L. for costs in prosecuting said warrant.

Given under my hand the 31 day of March 1894

J. H. Burgin J. P.



C. E. Flannery  
admirer of the estate  
of Antony Witt  
vs J. E. Witt

Executed March 12<sup>th</sup>  
1894 By summons  
J. E. Witt to appear  
before J. H. Buzgins  
on the 31 day of Mar 94  
At R Kirk D S

Doctited in Judgment  
Lien Doctet Sept  
12<sup>th</sup> 1894  
S. W. Richmond clerk  
Filed Sept 8<sup>th</sup> 1894  
S. W. Richmond clerk

Not executed  
partially found  
At R Kirk D S  
for C. E. Flannery  
D S 8



C 4,71  
S 57  
atly 250  
C 25  
\$7,96

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That of the goods and chattles of

*James E Witt*

in your bailiwick, you cause to be made *\$90.84* Ninety dollars  
& *Eighty four* Cents  
with interest at the rate of six per centum per annum from the *25<sup>th</sup>* day of *September* 1894  
until paid, which *C. E. Flanary admr & C.*

late in our Circuit Court of the County of Lee, has recovered against the said *J. E Witt*  
, as well for a debt as interest thereon; also *\$7.96*  
*Seven* dollars and *Ninety Six* cents, which to the said  
*C. E. Flanary admr* in the same court were adjudged for *his* costs  
by *him* about *his* suit in that behalf expended, whereof the said *J. E Witt*  
convict as appears to us of record. And how you shall execute this writ make known at the rules to be  
holden in the clerk's office of our said Circuit court, on the *16<sup>th</sup>* Monday in *September*  
next. And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house, the *26<sup>th</sup>* day of  
*June* 1894, and in the *118<sup>th</sup>* year of the Commonwealth.

*A B Munsey Clerk*



Not executed No  
properly found  
M R Kirk D S  
for C. E. Flannery  
S L C

E. B. No. 4 p. 166

C. E. Flannery, admr

US. {

FI. FA.  
IN DEBT.

James E. Witt

p. q.

Came to hand July 7

1894, at 3 o'clock P.M.

C. E. Flannery, S. L. C

To 1st Sept Rules,

Circuit Court.

Jud. June 16<sup>th</sup> 1894

O. B. No. 3 p. 386



L. E. Flauay admr vs Jas E Witt

Judg. obtained in the Circuit Court on June 16<sup>th</sup> 1894  
for \$90.84 with interest from the 25<sup>th</sup> of Sept 1894  
till paid and costs \$7.96. Docketed in Judg. Lien  
Docket No 3. page 66.

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O. E. Flauay admr vs J. E. Witt

Judg. obtained March 31, 1894 By Justice, for \$16.08  
with interest from the 5<sup>th</sup> day of Sept 1891, till  
paid and \$1.25 costs. Docketed in Judg. Lien  
Docket No 3. page 72.

471  
50  
250  
25  
596



$$\begin{array}{r}
 190 \\
 \phantom{0}2 \\
 \hline
 6 \overline{) 380} \\
 \underline{63\frac{1}{2}} \\
 63\frac{1}{2} \\
 \hline
 127
 \end{array}$$



126.66

106.03  
.06

6,3618  
~~4,274~~

25,4472  
29.68

Plaintiff recover \$114.59

But an 106.03 from 12 day  
June 1841.

Int. to date  
were deft.  
costs

30,

\$144.59 to date  
8.56

\$153.15-  
40.

193.15-  
105-

Cons.

9.6575-

40.

49.65-

Costs & cons.

193.15-  
9.65-  
202.50

5/29/41



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*James B. Pitt*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *October*, 189*4*, to answer a bill in Chancery,

exhibited against *him* in our said court by *L. E. Flanary Admr*  
*Debonis Son of the Estate of Anthony Pitt deceased*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*12th* day of *September*, 189*4*, and in the 11*9th* year of the

Commonwealth.

*A. B. Munsey* Clerk.



B. E. Flannery Adm<sup>re</sup>

vs. { SUPRENA  
IN CHANCERY.

James E. Witt

Orr B & Ewing p. q.

To 1st October Rules,  
Circuit Court.

Executed Sep.  
the 17 1894  
By delivering  
a copy of this  
Sd in chancery  
to James E. Witt  
M. R. Kirk & S  
for B. E. Flannery  
S J C